



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, १८ मई, १९६८/२८ वशाल, १९६०

GOVERNMENT OF HIMACHAL PRADESH

ELECTION DEPARTMENT

NOTIFICATION

Simla-2, the 1st May, 1968

No. 6-12/68-Elec.—The Election Commission of India's Notification No. 3/6/68(1), dated the 18th March, 1968, published in the Extraordinary Gazette of India, Part II, section 3 (ii), dated the 18th March, 1968, is hereby republished in the Himachal Pradesh Extraordinary Rajpatra for general information.

By order,
D. B. LAL,
Chief Electoral Officer.

ELECTION COMMISSION OF INDIA

NOTIFICATION

New Delhi, the 18th March, 1968

No. 3/6/68 (1).—1. In pursuance of clause (a) of article 84 and clause (a) article 173 of the Constitution of India and in supersession of its Notification No. 3/3/66, dated the 25th April, 1967, the Election Commission hereby authorises the returning officer concerned and all the assistant returning officers subordinate to him as the persons before any one of whom a person having been nominated as a candidate (hereinafter referred to as the candidate) for election to fill a seat in the Council of States, or in the House of the People, or in the

Legislative Assembly of a State (other than Jammu and Kashmir), or in the Legislative Council of a State (other than Jammu and Kashmir) having a Legislative Council, shall make and subscribe the oath or affirmation in the form set out for the purpose in the Third Schedule to the said Constitution.

2. Notwithstanding anything contained in paragraph 1, in pursuance of clause (a) of the said article 84 and clause (a) of the said article 173, the Election Commission hereby also authorises as the person before whom the candidate may make and subscribe the said oath or affirmation,—

- (a) where the candidate is confined in a prison, the superintendent of the prison,
- (b) where the candidate is under preventive detention, the commandant of the detention camp,
- (c) where the candidate is confined to bed in a hospital or elsewhere owing to illness or any other cause, the medical superintendent in charge of the hospital or the medical practitioner attending on him,
- (d) where the candidate is out of India, the diplomatic or consular representative of India in the country where the candidate happens to be or any person authorised by such diplomatic or consular representative,
- (e) where the candidate is for any other reason unable to appear, or prevented from appearing, before the returning officer concerned or any assistant returning officer as aforesaid, any other person nominated by the Election Commission on application made to it in this behalf.

Explanation:—In this Notification—

- (1) the expression “the returning officer concerned” means—
 - (a) where a person has been nominated as a candidate for election to fill a seat in the House of the People from a parliamentary constituency or a seat in the Legislative Assembly of a State from an assembly constituency or a seat in the Legislative Council of a State from a council constituency, the returning officer for that constituency,
 - (b) where a person has been nominated as a candidate for election to fill a seat in the Council of States by the elected members of the Legislative Assembly of a State, the returning officer for that election,
 - (c) where a person has been nominated as a candidate for election to fill a seat in the Legislative Council of a State by the members of the Legislative Assembly of that State, the returning officer for that election;
- (2) the expression “parliamentary constituency”, “assembly constituency” and “council constituency” shall have the meanings respectively assigned to them in the Representation of the People Act, 1950 (43 of 1950).

By order,
K. S. RAJAGOPALAN,
Secretary to the Election Commission of India.